




## Memorandum

**Date:** March 26, 2024

**To:** Cal Poly Pomona Campus Community

**From:** Soraya M. Coley, Ph.D.   
President

**Subject:** Suspension of Collection of Native American Ancestral Remains and Cultural Items and Prohibition on Use in Teaching, Research and Display

**BACKGROUND:** In accordance with the California State University (CSU) and its Board of Trustees, compliance with the state and federal Native American Graves Protection and Repatriation Acts (NAGPRA and CalNAGPRA) is required. The CSU and Cal Poly Pomona acknowledge and concur that ancestral remains and cultural items do not belong in campus collections without the permission of the Tribes and/or direct descendants. Repatriation of ancestral remains and cultural items is a priority for the CSU and cannot be deferred for teaching, research, or exhibition purposes.

AB 389 and federal regulations prohibit the use of ancestral remains or cultural items that are in a university's collection in teaching, research or on display. State law and federal regulations include:

**California State Health and Safety Code Section 8028.7 (as amended by AB 389):** "Prohibit the use of any Native American human remains or cultural items for purposes of teaching or research at the California State University while in the possession of a California State University campus or museum."

**Federal Regulations (88 FR 86518): Duty of Care [10.1.d(3)]:** Universities must "Obtain free, prior, and informed consent from lineal descendants, Indian Tribes, or Native Hawaiian organizations prior to allowing any exhibition of, access to, or research on human remains or cultural items. Research includes, but is not limited to, any study, analysis, examination, or other means of acquiring or preserving information about human remains or cultural items. Research of any kind on human remains or cultural items is not required by the Act or these regulations."

**PRESIDENTIAL ORDER:** Effective immediately, Cal Poly Pomona will suspend the collection of, and prohibit the use of, any ancestral remains or cultural items for any teaching, research, or exhibition purposes to comply with state and federal requirements (CalNAGPRA and NAGPRA). Furthermore, Cal Poly Pomona will consult with Tribes prior to access, use, distribution or display of potentially sensitive or proprietary information. This includes but is not limited to images, renderings, and reproductions of ancestral remains and cultural items that are or have been in a university's collection.